

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

LARRY S.,

Case No. 3:18-cv-00673-CL
ORDER

Plaintiff,

v.

ANDREW SAUL, Commissioner
of Social Security

Defendant,

AIKEN, District Judge.

Magistrate Judge Mark Clarke filed his Findings and Recommendations (“F&R”) (doc. 32) recommending that the decision of the Commissioner be AFFIRMED. This case is now before me. *See* 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

No objections have been timely filed. This Court previously granted an extension of time in which to file objections (doc. 36). Objections were due by May 18, 2020. Although this relieves me of my obligation to perform a *de novo* review, I retain the obligation to “make an informed, final decision.” *Britt v. Simi Valley Unified Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983), *overruled on other grounds*, *United States v.*

Reyna-Tapia, 328 F.3d 1114, 1121–22 (9th Cir. 2003) (en banc). The Magistrates Act does not specify a standard of review in cases where no objections are filed. *Ray v. Astrue*, 2012 WL 1598239, *1 (D. Or. May 7, 2012). Following the recommendation of the Rules Advisory Committee, the Court review the F&R for “clear error on the face of the record[.]” Fed. R. Civ. P. 72 advisory committee’s note (1983) (citing *Campbell v. United States District Court*, 501 F.2d 196, 206 (9th Cir. 1974)); *see also* *United States v. Vonn*, 535 U.S. 55, 64 n.6 (2002) (stating that, “[i]n the absence of a clear legislative mandate, the Advisory Committee Notes provide a reliable source of insight into the meaning of” a federal rule). Having reviewed the file of this case and Magistrate Judge Clarke’s order, the Court find no clear error.

Thus, the Court adopts Magistrate Judge Clarke’s F&R (doc. 32) in its entirety. Accordingly, the decision of the Commissioner is AFFIRMED, and this action is dismissed.

IT IS SO ORDERED.

Dated this 26th day of May 2020.

/s/Ann Aiken
Ann Aiken
United States District Judge